

MINUTES OF REGULAR MEETING HELD OCTOBER 9, 2018

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, October 9, 2018 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 12, 2017. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, THE STAR LEDGER, and TAP INTO WESTFIELD and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle, Council Members Arena, Dardia, Neylan, LoGrippo, Contract, Stokes

ABSENT: Council Members Habgood & Mackey

INVOCATION AND FLAG SALUTE

Invocation was given by Councilman Arena followed by the flag salute.

PRESENTATIONS

Town Administrator's Reports

- Discussed the culvert work being conducted by Union County on Elm Street and announced that one lane of traffic is expected to open within the next week, with the entire project being finalized in November;
- Discussed the status of improvements to Municipal Lot No. 7 and stated that base course paving was recently done. Work is continuing despite the fact that rain has impacted certain phases of the project;
- Informed residents that inspections in connection with the revaluation process are continuing. There have been delays with the completion of inspections and Union County has been notified of the need for an extension;
- Discussed leaf collection and announced that the brochure would be distributed to residents shortly. Also discussed the award of contract for leaf collection that was included on this evening's agenda.

Mayor's Remarks

- Discussed various improvement projects that are underway, including Municipal Lot No. 7 and Mindowaskin playground. Also discussed the “Wicked Windows of Westfield” and extended her thanks to all merchants supporting AddamsFest. Encouraged everyone to visit with their families to see some of the works of art on storefronts. Feels this is only the beginning of what is shaping up to be a fun and exciting month for the community;
- Extended her thanks to the BRAKES organization for sponsoring Walk to School Day and for allowing her to walk with raffle winner Pedro Nascimento and his family to Jefferson School;
- Thanked the Italian American Club and UNICO for inviting her to speak at their Columbus Day celebration last weekend;
- Congratulated Jennifer Jaruzelski and thanked her for the privilege of presenting her with the Westfield United Fund Linda Maggio Champion Award at their 80th Anniversary Gala last Saturday night. Feels Westfield is fortunate to have amazing volunteer and charitable organization in its community;
- Announced that it is Fire Prevention Week and thanked Westfield firefighters for all they do on behalf of the community. Informed residents that many of them have been visiting schools and neighborhoods this week to teach kids about fire prevention and safety;
- Stated that she recently accompanied Fanwood Mayor Colleen Mahr and Scotch Plains Mayor Al Smith to Trenton to meet with Governor Murphy's staff members who are

charged with identifying shared service opportunities across the state. They have pledged their support to help identify ways the three (3) municipalities could share DPW resources. In addition, the three (3) municipalities are currently in the process of providing all necessary information in order for Governor Murphy's staff to begin an analysis that would ultimately inform their recommendations;

- Announced that she attended a Union County Mayors roundtable last week that was hosted by Senate President Steve Sweeney, with Senators Cryan, Scutari and Kean also in attendance. The focus of the meeting was the unsustainable trajectory of the state's finances, and the hard choices that need to be made regarding pensions, healthcare costs, and shared services. Stated that she left the meeting hopeful that the legislators in Trenton, on both sides of the aisle, may finally have the political will to get the state on better financial footing;
- Informed residents that she hosted a quarterly Downtown Property owners meeting where ways to improve the business climate in town were discussed. Explained that parking continues to remain a top concern and she is looking forward to seeing the potential impact of the Town's pilot program with Lyft which begins during AddamsFest. Also explained that additional parking pilot programs will be rolled out later in the year. Feels that as stores begin to fill up, addressing issues like parking, particularly for employees and commuters, would be more important than ever;
- Announced that the Planning Board awarded a contract for consulting services for the Master Plan to H2M. Stated that H2M is a highly regarded planning firm that brings an innovative and holistic community driven approach to the process. Additionally, H2M has partnered with a nationally known parking consultant which means at the conclusion of the ten (10) to twelve (12) month process, the Town will have a fully integrated Master Plan inclusive of parking recommendations;
- Stated that she attended Governor Murphy's speech where he laid out his economic vision for the state, which was centered on spurring entrepreneurship through luring venture capital investment, providing tax incentives to small businesses, and incentivizing municipalities to redevelop their own property in ways that could generate revenue;
- Informed residents that a smaller economic development initiative is happening tonight, as an ordinance will be introduced to allow craft breweries to operate in the GB1 zone. Explained that craft breweries were recently allowed in the Central Business District (CBD), and the GB1 zone is adjacent to the CBD. Also explained that the first ordinance spurred some interest from brewers, but did not contemplate that areas on the fringes of the CBD would also be of interest, and the ordinance to be introduced tonight is intended to rectify that;
- Governor Murphy also stated in his speech his desire to make historic preservation a priority by piloting a state tax incentive program for individuals and municipalities to historically designate properties. Stated that she has been working with the Town's Historic Preservation Commission to identify how to better protect historic homes and properties, and, in the process, discovered that some of the Town's own historic properties were not officially designated. As such, the Town Council will be voting to adopt resolutions to provide consent to historically designate the Reeve House and Triangle Park, and hopes this will be the beginning of a new wave of historic designations in the community;
- Announced that, on behalf of the RVL Mayors Alliance, she met with Senator Kip Bateman to enlist his support for efforts to gain a peak one seat ride for the Raritan Valley Line. Informed residents that Senator Bateman enthusiastically endorsed the proposal, and support from all of the Senators along the line, Senators Kean, Dogherty, Bateman, Cryan and Scutari, has been obtained and they are engaging NJT in reassessing the allocation of dual locomotive trains. In addition, she is meeting with NJ Transit officials to discuss efforts further on Thursday, and a gathering of all twenty-three (23) Mayors and RVL legislators is being scheduled at the League of Municipalities Conference next month. Explained that she recognizes that this is a big ask at a time when NJ Transit is at its lowest point, but feels this is exactly why now is the time to revisit the allocation of the dual locomotives that enable the one seat ride;
- Informed residents that there were three (3) burglaries reported on Sylvania Place and Elm Street this past Saturday night where criminals entered the homes through either unlocked doors or by using keys that were discovered in the garage. There was no forced entry. The criminals took cash, credit cards, and cell phones that were visible on counters, and also stole a car which has since been recovered. Two cars were also stolen in the

same vicinity last week, one of which was recovered. Urged residents to stay vigilant about locking the doors to cars and homes, to consider installing an alarm system, and to also be vigilant about their surroundings. Assured residents that while the perpetrators have not been identified, the police are actively investigating. She has also requested that the Police Department step up its patrols in the neighborhood, and the Town is discussing hosting neighborhood forums where neighbors can ask questions about criminal activity and hear prevention tips from officers. Stated that she would keep the public informed as details become available;

- Invited residents to attend the PAL Women’s Flag Football Game to raise money for breast cancer this Saturday at 1:30 PM at Tamaques Park. Also invited residents to join her after the game at Westfield High School to watch the Lady Blue Devils volleyball team take on its archrival Union Catholic at 4:00 PM in the annual Pink Out game. Explained that this provides an opportunity to raise even more money for breast cancer by buying baked goods and bidding on many donated items and encouraged residents to support this annual tradition;
- Lastly, reminded residents that next Tuesday, October 16, is the last day to register to vote in the November 6 election. Also announced that mail-in voting has begun for those who do not want to wait until November 6 to vote.

APPOINTMENTS

ADVERTISED HEARINGS

PENDING BUSINESS

BIDS

**TOWN OF WESTFIELD
INVITATION TO BID
WEDNESDAY, October 3, 2018
2018 COLLECTION OF LEAVES**

Bidder

Amount of Bid

Jesco, Inc.	Front End Loaders w/o Operators
118 St. Nicholas Avenue	(5) \$59.00/HR.
South Plainfield, NJ 07080	
Ralph Checchio Inc.	Hauling from Street/Trucks w/Operators
P.O. Box 627	(2) \$225.00/HR.
Scotch Plains, NJ 07076	
Messercola Excavating Inc.	Hauling from Street/Trucks w/Operators
549 East Third Street	(1) - \$90.00/HR.
Plainfield, NJ 07060	
Camarato	Hauling from Street/Trucks w/Operators
15 Greensview Drive	(1) - \$90.00/HR.
Scotch Plains, NJ 07076	

Ameritico Disposal Inc.	Hauling from Street/Trucks w/Operators
2295 South Ave	(4) - \$89.50/HR.
Scotch Plains, NJ 07076	

MINUTES

On a motion by Councilman LoGrippe and seconded by Councilman Stokes, Council approved the Minutes of the Town Council Conference Session, Regular Meeting, and Executive Session held September 25, 2018.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Kenneth L. MacRitchie, 515 Trinity Place, referenced an award of contract authorized at a prior Town Council meeting in connection with a walkability study and discussed areas in Town that he feels should be included in the study, specifically at Sycamore Street and Elizabeth Avenue.

Neal Snitow, 221 Myrtle Avenue discussed the temporary ice rink and questioned the selection of the Gumbert Park location versus Memorial Park. Feels the location at Memorial Park is away from residences and locker rooms presently exist on the property, making it a suitable alternative to Gumbert Park. Also asked if the provisions of the agreement for the ice rink could be made available.

Mayor Brindle replied to Mr. Snitow's inquiries, stating that the provisions of the agreement could be made available and directed him to contact the Town Administrator's Office. Also discussed reasons why Memorial Park was not a feasible location for the temporary ice rink and informed Mr. Snitow that information detailing the reasons why Gumbert Park was chosen as the location was included in the Q&A document that is available on the Town's website.

Philip Minardo, 552 Elm Street, discussed recent home burglaries in his neighborhood and stated that while his home has not been burglarized, the "fear is real". Feels these are serious crimes and believes there has been a lack of concern expressed. Stated that he understands that some information cannot be disclosed because of ongoing investigations, but feels more transparency is needed. Also discussed comments at a previous Town Council meeting with respect to a reduction in court revenue during 2018 being attributed to leniency with parking fees, but feels this does not "add up". Asked if there has been a leniency on crime prevention overall.

Mayor Brindle stated that she completely empathizes with Mr. Minardo and his concerns and discussed the suggestion to schedule a neighborhood meeting to address this issue.

Mr. Minardo feels increased patrol on a regular basis is needed and requested clarification as to the reduction in court revenue. Stated that he read in Tap into Westfield that revenue has dropped thirty-five (35%) percent. Feels the addition of a fifteen (15) minute grace period would not result in such a significant reduction in revenue.

Mayor Brindle stated that there was a reduction in court revenue, which can be specifically attributed to parking fines, but does not feel the reduction was as large as thirty-five (35%) percent.

The Town Administrator explained that there has been a reduction in court fees, but the reduction is attributed to a reduction in the number of summonses being issued, not the grace period for parking.

Mr. Minardo expressed concern that there has been a reduction in court revenue while the number of burglaries has seemed to increase.

Mayor Brindle stated that there is no correlation between these burglaries and the reduction in court revenue. Explained that burglaries are an epidemic and they are occurring in surrounding

towns as well, and the Union County Prosecutor's Office and the Union County Police Chiefs are working together to address the matter.

Mr. Minardo feels it would only take one encounter between a resident and one of these thieves to result in a tragedy. Also feels four (4) burglaries in four (4) days is a very high percentage.

Maureen Humphrey, 609 Elm Street, discussed the recent break-ins to homes and explained that while she is not fearful, she is not confident that changes would be made quickly enough to address this issue. Also expressed concern that residents received a mixed message from law enforcement officers, which she feels is alarming. Stated that the message from the Police Department is that this problem is "not going anywhere and is getting worse". Also expressed concern that the responsibility is being put on the homeowner.

Roseann Livolsi, 221 Sylvania Place, informed the Town Council that her home was burglarized while she and her family slept. Stated that she was petrified that she was home at the time and could have encountered the intruder. Also stated that while police officers were kind and respectful, they were also alarming. Informed the Town Council that she has received no update since she was informed that her car was recovered. Explained that her concern is that her neighbor's home was burglarized two (2) nights prior to her home being burglarized, but residents of the neighborhood were not informed. Feels more preventative measures could have been taken if she was made aware of the burglaries that had occurred in the neighborhood. Also referenced comments made during the last Town Council meeting as to the number of car thefts that have occurred this year, and the Police Department informed her that the number of thefts is much higher than what was reported at the Town Council meeting. Also feels it is unfair to question whether or not doors were locked. Feels unlocked doors does not mean that thieves are permitted to enter homes and cars.

Mayor Brindle stated that she agrees with Ms. Livolsi's point with respect to communication and feels it could improve.

Nora Gallagher, 621 Elm Street, stated that her home was broken into on Thursday, and her car was also stolen. Stated that she agrees with Ms. Livolsi and feels if she had been made aware of other burglaries and car thefts in the neighborhood, the break in of her home and the theft of her car might have been prevented. Feels better communication would "go a long way".

Lew Corno, 636 Hort Street, stated that his truck was broken into in August, and while he has lived in Westfield for forty (40) years, he was unaware that so many thefts were occurring. Stated that he filed a police report when the theft occurred and was advised by the Police Department to always lock your car. Stated that the one time he left his vehicle unlocked is when the break in occurred. Two (2) weeks later, other vehicle break-ins occurred. Feels transparency is very important. Also mentioned that the break-ins are occurring on both sides of Town. Stated that he did read an article in the newspaper encouraging residents to keep doors locked, but feels that is not enough to stop thieves.

Eugenia Arida, 2 Naworth Pass, informed the Town Council that her home was broken into approximately seven (7) years ago, and while she was not home during the burglary, phone lines were cut, and it occurred at 6:00 PM when she was on her way home. Explained that the Police Department was very sympathetic, issued a bulletin, and assured them the intruders would be caught, but she never received notification that anyone was caught. Also, at that time, a community forum was held at her home which included councilmembers, the Mayor and members of the Police Department. While they were happy for the support that was provided, feels the current burglaries indicate that nothing has changed to address this issue. At that time, they had also requested that residents be alerted when burglaries occur and that residents be notified in some way of the location of these burglaries. Explained that the intent is not to cause alarm, but feels information is power and knowing the location of where these crimes are occurring would help residents to be more vigilant. Also asked if there were grant programs available that would allow for the purchase and installation of cameras at certain intersections or arterial roadways, such as Route 22 and Lawrence Avenue. Feels this could provide assistance to the Police Department in identifying and catching thieves.

Mayor Brindle stated that there have been discussions concerning the potential installation of cameras at main artery roadways.

Councilman LoGrippto discussed the availability of license plate readers and other types of surveillance cameras that are being installed by municipalities.

Mayor Brindle stated that, years ago, there were objections by residents as to the notion of surveillance cameras, but feels times have changes and it something that should be revisited.

Ms. Arida requested information as to the process for fact finding and moving forward with this type of initiative.

Mayor Brindle explained that it would be considered by the Public Safety Committee, which is chaired by Councilman Dardia. A recommendation by the committee would then be forwarded for consideration for funding in the municipal budget. Also discussed the need for improved communication and efforts to create a database that would ideally include contact information for all Westfield residents.

Ms. Arida discussed staffing within the Police Department and stated that she understands that they are short-staffed, but suggested a police presence at the end of Lawrence Avenue.

Mayor Brindle explained that the purpose of stationing police cars at certain locations would have to be made clear. If the purpose is to recover stolen cars, there is a protocol to follow, as many stolen cars are recovered through GPS locators. Police officers must make a decision as to whether or not to chase a stolen car because car chases could endanger many people. Feels there are other ways to identify perpetrators.

Councilman LoGrippto discussed the Town's current municipal judge and stated that it is his understanding that there have been more leniencies on crime than with the Town's former municipal judge. Requested input from the Town Administrator.

The Town Administrator explained that he does not attend court sessions and is unable to provide input on this matter. Explained that it is clear that everyone would like improved communication and to prevent these crimes before they occur, but the Town does not have the resources to achieve that. Assured residents that the Police Department is working diligently to solve these cases. Explained that the cases mentioned tonight are just a few of the many cases being investigated by the Police Department. Unfortunately, crime does not know municipal boundaries and Westfield is not immune from criminal activity. Feels neighborhood meetings are helpful in addressing these situations and believes a meeting in the Elm Street and Sylvania Avenue neighborhood should definitely be organized. Also discussed the Nixle system, which is a police-generated messaging system, and encouraged all residents to register for Nixle alerts through the Town's website. Feels the Nixle system could be used to communicate information to residents in the manner in which Mayor Brindle has described.

Councilman Arena stated that many of the residents that have spoken tonight reside in his ward and he sympathizes with them and what they have been through. Stated that he has taken additional precautions to protect his home as a result of these incidents. Also feels the Nixle system could be an approach for improved transparency and encouraged residents to register for alerts through the Nixle system. In addition, referred to comments concerning the reduction in court revenue and feels this is something that should be examined. Invited residents to see him after the meeting to discuss scheduling a neighborhood meeting.

Councilwoman Neylan extended her apologies to residents who have had their homes burglarized and expressed concern that Westfield is being targeted. Feels conversations as to improved communication and the utilization of the Nixle system are necessary, but believes preventative measures are needed. Discussed municipalities in which it is common knowledge not to speed on certain roadways and feels Westfield needs to establish a similar no tolerance reputation when a crime is committed in Town. Stated that she understands that the Police Department is "stretched thin" but believes its highest priority is the safety of residents.

Councilman Contract discussed simple preventative steps everyone could take and suggested that this information be made available through the Town's website and social media. Explained that while these measures might not completely prevent crimes, they can make it more difficult for crimes to be committed. Explained that growing up his house was burglarized and he

understands that it is a terrible experience, but feels there are proactive measures that could be taken.

Anne Edmondson, corner of Dudley Avenue and Elm Street, requested a specific course of action to address this issue. Stated that she has lived on the corner of Dudley Avenue and Elm Street for four (4) years, and two (2) years ago, three (3) homes were burglarized. Feels Elm Street is a target and that Elm Street, rather than Lawrence Avenue, is a more appropriate location for the installation of surveillance cameras. Feels they would be a deterrent and criminals would move on to another town. Explained that while her house has not been burglarized, she is concerned for the safety of her family and the possibility of one of her children encountering an intruder if these burglaries continue. Feels “concrete” steps need to be taken to prevent these crimes and that she would like to feel that something has been accomplished by the conclusion of tonight’s meeting.

Mayor Brindle feels this meeting is not the appropriate venue for a brainstorm session, but believes two (2) steps could be taken immediately. The first is to increase police patrol on Elm Street, and the second is to schedule a neighborhood meeting that includes Ward 1 councilmembers, the Mayor and appropriate representatives of the Police Department. Assured Ms. Edmondson that there is no intention to withhold information and agreed that the more information that is shared, the safer everyone will feel. Suggested that the residents in attendance this evening provide their name and contact information to the Ward 1 councilmembers so that they can be contacted once a meeting date and location are established, and that they share this information with their neighbors who are not in attendance this evening. Feels brainstorming and discussion as to more tangible methods for addressing this issue should be discussed at the neighborhood meeting.

Councilman LoGrippe asked the Town Administrator to identify the specific areas in which court revenue has decreased.

The Town Administrator stated that he would obtain the detailed information requested by Councilman LoGrippe.

Greg Crooks, 612 Elm Street, stated that his home was broken into four (4) years ago, and that essentially all of his neighbors have experienced a home burglary within the last four (4) years. Discussed recent technology and apps available for disseminating information to residents. Also feels it would be helpful for residents to be provided with specific information concerning burglaries and asked if residents could have access to police reports for the last four (4) years. Feels these reports would not only provide residents with the location of the homes in which burglaries occurred, but would also indicate whether there was forced entry or entry through unlocked doors. Feels this data should be public information and asked if it could be obtained through a Freedom of Information Act request.

Mayor Brindle feels this data could be provided in the aggregate and asked the Town Attorney to discuss the process for obtaining public records.

The Town Attorney discussed the New Jersey equivalent to the Freedom of Information Act, which is the Open Public Records Act (OPRA). Explained that under OPRA, residents are entitled to a wide swathe of information, but there is certain content that would be confidential and would have to be redacted. Aggregate data could be provided to residents and discussed the process for filing an OPRA request.

Mr. Crooks requested clarification as to obtaining aggregated information versus individual police reports. Explained that his home was burglarized, but he does not believe he was provided with a copy of the police report.

The Town Attorney explained that, as a victim, Mr. Crooks would be entitled to the police report related to the burglary of his home, but he would not be entitled to police reports related to other properties because they would contain confidential information that is exempt from disclosure under OPRA.

The Town Administrator suggested that this data be provided to residents, in the aggregate or otherwise, at the neighborhood meeting. Expressed concern with creating an administrative

burden on the Town Clerk's Office and the Police Department if residents begin submitting OPRA requests for several years' worth of police reports.

Mr. Crooks feels it becomes a crisis when crimes are committed against you or your neighbor, but having a purview of the entire town would be helpful. Feels residents are less likely to show concern unless it is happening in their neighborhood.

The Town Administrator referred to Mr. Crooks' comment and stated that while residents feel Elm Street is being targeted, it does not mean that Elm Street has the highest rate of burglaries within the Town. Stated that the Town would compile information and provide it at the neighborhood meeting.

Mr. Crooks referred to comments concerning surveillance cameras, license plate readers, and being diligent about locking doors, and feels the overall objective is to make Westfield less attractive to thieves.

Fred Westerling, 522 Elm Street, stated that his home has not been burglarized, but he has lived in Westfield for approximately six (6) years, and for the majority of those years, many street lights have not worked. Feels repairing street lights throughout the entire Town could be an "easy fix" to making the neighborhood a little safer.

The Town Administrator explained that PSE&G owns the street lights and is the entity responsible for outages and broken lights. Discussed the process for reporting street light outages to PSE&G and explained that the Town reports many outages to PSE&G on a regular basis.

Councilman Stokes extended his apologies to all residents who were victims of home burglaries. Feels communication to residents could improve, but these crimes are not limited to just one side of Town. Discussed the reduction in court revenue and its possible correlation to a leniency on crime. Feels if there is a lack of enforcement with smaller crimes, it will eventually lead to larger crimes being committed. Feels it is important for Westfield to gain the reputation that it will not tolerate any type of crime within its borders, small or large. Also discussed municipalities that prohibit overnight parking as a crime prevention measure and feels this might be something for the Town Council to consider. Stated that he agrees that the Town needs to do its part, but neighbors need to be involved as well. Encouraged residents to contact the Police Department if they feel they are witnessing any suspicious or unusual activities.

Hearing no further comments, Mayor Brindle closed the public comment portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Neylan, and seconded by Councilman Stokes, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$456,924.85 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Neylan, and seconded by Councilman Arena, were unanimously adopted.

Resolution No. 245

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$5.40 to the order of New Jersey Department of Health, P.O. Box 369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the month of September 2018.

Resolution No. 246

RESOLVED that pursuant to N.J.A.C. 5:23-4.19, that the Chief Financial Officer be authorized and directed to draw a warrant in the sum of \$18,211.00 to the TREASURER,

STATE OF NEW JERSEY for the third quarter Construction Official's State permit fees for 2018.

BE IT FURTHER RESOLVED that said check be forward to the Division of Codes and Standards, Department of Community Affairs, CN 802, Trenton , New Jersey 08625-0802.

Resolution No. 247

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, this amount being overpaid for 2017-2018:

Block/Lot/Qualifier Name	Property Address	Quarter/Year Amount
306/46 RIZZOLA, Marc	942 Sedgewick Court	3 rd &4 th /2018 \$316.03
3110/2 Lereta, LLC 1123 South Parkview Drive Covina, CA 91724 Attn: Central Refund Unit File #94401387	410 Lenox Avenue	3 rd /2018 \$4,386.55

Resolution No. 248

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$650.00 to the order of Treasurer, State of New Jersey, P.O. Box 660, Trenton, NJ 08646-0660 for Marriage/Civil Union License Fees issued by the Registrar of Vital Statistics for the quarter of July - September 2018.

Resolution No. 249

RESOLVED that the Chief Financial Officer be authorized to draw a warrant in the amount of \$5.00 to the order of Treasurer, State of New Jersey, Burial Permit Fees, P.O. Box 370, Trenton, NJ 08625-0370 for Non-EDRS Burial Permits issued by the Registrar of Vital Statistics for the quarter of July- September 2018.

Public Safety, Transportation and Parking Committee

The following resolution, introduced by Councilman Dardia, Chairman of the Public Safety, Transportation and Parking Committee, and seconded by Councilman Stokes, was unanimously adopted.

Resolution No. 250

WHEREAS, the Town of Westfield expressed a desire to make certain improvements to Municipal Parking Lot #7, located along Lenox Avenue, Central Avenue, and North Avenue, and

WHEREAS, the plans approved by the Town Council provided for increased parking, improved vehicular circulation and enhanced pedestrian safety measures, and

WHEREAS, these improvements include and require the permanent closure of a portion of Lenox Avenue, between Central Avenue and North Avenue, and

WHEREAS, this closure impacts a roadway under State jurisdiction, and therefore, State approval and concurrence is necessary.

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield does hereby endorse and authorized the permanent closure of the portion of Lenox Avenue, between Central Avenue and North Avenue, and that a certified copy of this resolution be forwarded to the New Jersey Department of Transportation.

Code Review & Town Property Committee

The following resolutions, introduced by Councilman LoGrippe, and seconded by Councilman Contract, were unanimously adopted.

Resolution No. 251

WHEREAS, the Westfield Historic Preservation Commission is proposing the Reeve House, which is owned by the Town of Westfield, and is located at 314 Mountain Avenue (Block 2403, Lot 10) for local designation as a historic landmark pursuant to Section 5 of the Historic Preservation Ordinance of the Town of Westfield; and

WHEREAS, it is the Commission's belief that the Reeve House, which is currently on the National and State Registers of Historic Places, may qualify for local designation; and

WHEREAS, the Town of Westfield's Historic Preservation law requires the Commission to obtain the consent of the property owner before designation can occur; and

WHEREAS, pursuant to the ordinance, the Commission is required to provide certain information to the property owner, including (1) the reasons the Commission believes the proposed site or district may qualify for historic designation; (2) the significance and consequences of historic designation; and (3) steps to be undertaken pursuant to this ordinance before The Reeve House may be formally designated; and

WHEREAS, this information was provided to the Mayor and Council by the Commission through a letter dated October 5, 2018; and

WHEREAS, once approval is obtained from the Mayor and Council for historic designation, the Commission will itself prepare or will requisition a report by a licensed architect or planner, which report will include a description of the site, its location, photographs, and a conclusion on whether the site qualifies for historic designation; and the Commission will thereafter schedule a public hearing on the proposed historic designation, providing notice to property owners within 200 feet of the site; and

WHEREAS, after approval by the Commission, should such occur, the matter would then be referred to the Planning Board and then will be considered by the Town Council, which will then vote to approve, reject or modify the recommendations of the Commission; and if the Town Council votes to approve the Commission's recommendation, it will adopt an ordinance designating the site as a historic site;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Westfield hereby consent to designating the Reeve House, and the entire property on which it is located, as a historic site under the Historic Preservation Ordinance of the Town of Westfield, and that the Town Council authorizes the Mayor to sign the consent form provided by the Commission; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Town of Westfield authorize the Commission to take all further steps as required under the Historic Preservation Ordinance to explore whether designation of the site is appropriate and warranted.

Resolution No. 252

WHEREAS, the Westfield Historic Preservation Commission is proposing that Triangle Park, which is owned by the Town of Westfield and is located at the intersection of Lawrence Avenue, Walnut Street and Mountain Avenue (Block 2407, Lot 1) for local designation as a historic landmark pursuant to Section 5 of the Historic Preservation Ordinance of the Town of Westfield; and

WHEREAS, it is the Commission's belief that the Triangle Park may qualify for local designation; and

WHEREAS, the Town of Westfield's Historic Preservation law requires the Commission to obtain the consent of the property owner before designation can occur; and

WHEREAS, pursuant to the ordinance, the Commission is required to provide certain information to the property owner, including (1) the reasons the Commission believes the proposed site or district may qualify for historic designation; (2) the significance and consequences of historic designation; and (3) steps to be undertaken pursuant to this ordinance before Triangle Park may be formally designated; and

WHEREAS, this information was provided to the Mayor and Council by the Commission through a letter dated October 5, 2018; and

WHEREAS, once approval is obtained from the Mayor and Council for historic designation, the Commission will itself prepare or will requisition a report by a licensed architect or planner, which report will include a description of the site, its location, photographs, and a conclusion on whether the site qualifies for historic designation; and the Commission will thereafter schedule a public hearing on the proposed historic designation, providing notice to property owners within 200 feet of the site; and

WHEREAS, after approval by the Commission, should such occur, the matter would then be referred to the Planning Board and then will be considered by the Town Council, which will then vote to approve, reject or modify the recommendations of the Commission; and if the Town Council votes to approve the Commission's recommendation, it will adopt an ordinance designating the site as a historic site;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Westfield hereby consent to designating Triangle Park, and the entire property on which it is located, as a historic site under the Historic Preservation Ordinance of the Town of Westfield, and that the Town Council authorizes the Mayor to sign the consent form provided by the Commission; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Town of Westfield authorize the Commission to take all further steps as required under the Historic Preservation Ordinance to explore whether designation of the site is appropriate and warranted.

Resolution No. 253

RESOLVED that the following application for children's amusement devices be approved:

JLA Party Rentals, LLC
318 Mclean Blvd
Paterson, NJ 07504

Annual Pumpkin Fair
October 13, 2018
700 Prospect Street

Franklin School PTO
700 Prospect Street
Westfield, NJ 07090

General Ordinance No. 2113

Regarding the following ordinance, Councilman LoGrippe made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2113 – AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE LAND USE ORDINANCE OF THE TOWN OF WESTFIELD."

Motion was seconded by Councilman Arena.

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas: Arena
Dardia
Neylan
LoGrippe
Contract
Stokes
Mayor Brindle

Nays:

Absent: Habgood
Mackey

Public Works Committee

The following resolutions, introduced by Councilman Contract, Chairman of the Public Works Committee, and seconded by Councilwoman Dardia, were unanimously adopted with Councilmembers Arena and Neylan opposing Resolution No. 254.

Resolution No. 254

WHEREAS, a need exists for the Town of Westfield to retain professional engineering services for the development of a Pavement Management/Assessment Program; and

WHEREAS, the Town of Westfield issued a Request for Proposals (RFP) for engineering services through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq., and

WHEREAS, IMS Infrastructure Management Services, 1820 W Drake Drive, Suite 104, Tempe, Arizona 85283, has submitted a proposal dated September 28, 2018, indicating it would provide the aforementioned service for a fee not to exceed \$41,078; and

WHEREAS, the Town of Westfield has deemed that the background, experience and qualifications of the respondent herein satisfy the criteria set forth in the RFP; and

WHEREAS, a Certificate of the Chief Financial Officer, certifying the availability of adequate funds for this contract, prepared in accordance with N.J.A.C. 5:30-5.4, has been furnished to the Town Clerk. Expenditure of funds pursuant to this contract is to be charged to Capital Account C-07-18-221-2C1.

NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Westfield, New Jersey as follows:

1. The Town of Westfield authorizes an award of contract to IMS Infrastructure Management Services for professional engineering services for the development of a Pavement Management/Assessment Program for the Town of Westfield at a fee not to exceed \$41,078;
2. The proper Town Officials be and hereby are authorized to take whatever actions are appropriate in the execution and discharge of this Contract; and
3. This contract is awarded pursuant to the “fair and open” process (N.J.S.A. 19:44A-20.5 et seq.).

Resolution No. 255

WHEREAS, a need exists for the contract rental of privately owned equipment for use by the Department of Public Works in the 2018 Leaf Collection Program, as provided for in Public Works account 137-246, and

WHEREAS, sealed bids were received on Wednesday, October 3, 2018, and

WHEREAS, the low bid received for Part A – Hauling from the Street, has been analyzed and found to be fair and reasonable for the rental of this service; and

WHEREAS, while the bids received for Part A – Hauling from the Street from Camarato Trucking and Messercola Excavating offer different quantities, but equal pricing, due to their proximity to and familiarity with the Town, contracts will be awarded to both bidders, pursuant to N.J.S.A. 40A:11-6.1, and

WHEREAS, the low bid received for Part B - Loaders, has been analyzed and found to be fair and reasonable for the rental of this service, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds to be charged to Public Works

account 137-246, under Purchase Order numbers as indicated below in an amount not expected to exceed (in total) \$125,000.

NOW THEREFORE BE IT RESOLVED, that the following contracts be awarded, and that the proper Town Officials be, and they are hereby, authorized to act as appropriate in the execution and discharge of this contract

PART A

AMERITICO DISPOSAL, INC.

2295 South Avenue	Hauling from Street/Trucks w/operators (4) \$89.50/HR
Scotch Plains, NJ 07076	not to exceed \$30,000.00 under Purchase Order #18-03911

MESSERCOLA EXCAVATING

549 East Third Street	Hauling from Street/Trucks w/operators (1) \$90.00/HR.
Plainfield, NJ 07060	not to exceed \$12,500.00 under Purchase Order #18-03909

CAMARATO TRUCKING INC.

15 Greenview Drive	Hauling from Street/Trucks w/operators (1) \$90.00/HR.
Scotch Plains, NJ 07076	not to exceed \$12,500.00 under Purchase Order #18-03910

PART B

JESCO, INC.	Front End Loaders w/o Operators (5)	\$59.00/HR.
1790 Route 38	not to exceed \$70,000.00 under Purchase Order #18-03912	
Mount Holly, NJ 08060		

Resolution No. 256

WHEREAS, the New Jersey Transportation Trust Fund Municipal Aid Program provides funds for the improvement of municipal roads, and

WHEREAS, the Town of Westfield desires the Commissioner of Transportation to consider the application for aid under the Trust Fund for Fiscal Year 2019 for the Improvement of East Dudley Avenue, between Prospect Street and Mountain Avenue, consisting of road resurfacing and the installation of ADA compliant handicapped ramps.

NOW, THEREFORE, BE IT RESOLVED that Council of the Town of Westfield, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Westfield Township-00521 to the New Jersey Department of Transportation on behalf of the Town of Westfield.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Westfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution No. 257

WHEREAS, the New Jersey Transportation Trust Fund Municipal Aid Program provides funds for the improvement of municipal roads, and

WHEREAS, the Town of Westfield desires the Commissioner of Transportation to consider the application for aid under the Trust Fund for Fiscal Year 2019 for the Improvement of Rahway Avenue, between Willow Grove Road and Townline, consisting of road resurfacing and the installation of ADA compliant handicapped ramps.

NOW, THEREFORE, BE IT RESOLVED that Council of the Town of Westfield, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Westfield Township-00512 to the New Jersey Department of Transportation on behalf of the Town of Westfield.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Westfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Town Council comments:

Councilman Arena discussed his opposition to Resolution No. 254, which authorizes an award of contract for engineering services for the development of a Pavement Management/Assessment Program. Explained that he opposed funding for this item during budget discussions and, as such, is opposed to an award of contract for this service.

Councilwoman Neylan also discussed her opposition to Resolution No. 254, explaining that she was opposed to the cost when it was recommended during the budget process. Believes this service is duplicative and unnecessary because she feels it could be handled in-house. Also requested clarification as to the selection process for road improvements once the assessment is complete.

Mayor Brindle stated that the Town Engineer supported this recommendation because it was felt that the Engineering Department did not have the capacity to undertake this type of assessment. Also feels utilizing an outside consultant allows for an objective assessment, as many constituents have questioned how roads are selected for paving. The assessment would be conducted by an expert, and would also provide transparency because it would include detail as to how roads are graded and how each road is prioritized for repair.

Councilwoman Neylan feels there has always been an objective selection process in place. Explained that residents and councilmembers would review roads in need of improvement in their ward, and those roads would be assessed by the Town professionals. Also stated that she feels there is no benefit to a town-wide assessment because all roads cannot be improved at the same time.

Councilman LoGrippe requested clarification as to the grading process and whether a letter grade would be assigned to each road.

The Town Administrator explained that roads would receive numeric grades and the assessment would also include various categories of deficiency, such as cracking, rutting, and gutter deterioration. In addition, there would be other factors considered in the assessment, such as proximity to schools and parks, and if the road connects with a state or county road.

Councilman LoGrippe requested clarification as to the selection process if roads were to receive identical grades.

The Town Administrator explained that the final decision would ultimately be made by the elected officials. The Town Council always made the final decision with respect to road paving, but feels this assessment might help guide the Town Council a little differently than in the past.

Councilman Contract feels this assessment would provide more data and analysis for the Town Council to base its decision. Stated that he supported inclusion of this item in the budget because many residents have expressed dissatisfaction with road paving and the method for selecting roads for improvement. Believes many residents feel the selection process was not objective and discussed the paving of Grove Street as an example of a road that needed to be paved for several years before the work ultimately moved forward.

Councilwoman Neylan discussed the difficulty in satisfying all constituents.

Reports of Department Heads

Report of Steve Freedman, Construction Official, showing monies collected for permits in the amount of \$60,418.00 for the month of September 2018 was received, read and ordered filed.

Report of Kris McAloon, Town Engineer, stating he had turned over to the Chief Financial Officer check in the amount of \$103,985.50 representing monies collected during the month of September 2018.

Report of David J. Kelly, Chief of the Fire Department, showing Fees collected in September 2018 in the amount of \$5,131.34 was received, read and ordered filed.

Report of Christopher Battiloro, Acting Chief of the Police Department, showing fee collecting in the amount of \$1,832.90 during the month of September 2018

Report of Tara Rowley, Town Clerk, showing fee collected in the amount of \$2,902.00 during the month of September 2018 was received, read, and ordered filed.

ADJOURNMENT

A motion to adjourn, made by Councilman LoGrippe and seconded by Councilman Dardia at 9:07 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk